

**AGENDA FOR
CITY COUNCIL MEMBERS' "NOON" MEETING
MONDAY, FEBRUARY 3, 2003
Immediately Following Director's Meeting
CONFERENCE ROOM 113**

I. MINUTES

- *1. Minutes of "Noon" Council Members' Meeting for January 13, 2003.
- **2. Pre-Council Minutes on Impact Fees (12-09-02)

II. COUNCIL REPORTS ON BOARDS, COMMITTEES, COMMISSIONS AND CONFERENCES

- *1. Public Building Commission (Camp/Seng)
- *2. Multicultural Advisory Committee (McRoy)
- *3. Board of Health (Svoboda)
- *4. Homeless Coalition Meeting (Werner)
- **5. Futures' Committee Meeting (Cook)
- **6. DEC (Friendt)
- **7. F3 (Families First and Foremost) (Friendt-Optional Report)
- **8. Lincoln Haymarket Development Corporation Board of Directors Meeting (McRoy)
- **9. NU Directions Coalition Meeting (McRoy)
- **10. Star City Holiday Festival Board Meeting (McRoy)
- **11. FloodPlain Task Force (Seng)
- **12. LCL - Leadership Council Meeting (Seng)

OTHER MEETINGS REPORTS:

III. APPOINTMENTS/REAPPOINTMENTS

- **1. Mayor's List of Upcoming Appointments thru May. (See List)
- **2. Two Appointments - For Introduction on 01-27-03 Agenda.

IV. REQUESTS OF COUNCIL FROM MAYOR - NONE

V. MEETINGS/INVITATIONS

1. Aging Services Peak, Berman Foundation, and Seniors Foundation present 'Sheila Jordan and Cameron Brown- I've Grown Accustomed To The Bass' on Saturday, February 8, 2003 at 7:30 p.m. - Westbrook Music Hall, 11th & "R" Street - Tickets are \$15.00 for the General Public and \$10.00 for age 60 and over - Call 441-7158 to reserve seats. (See Invitation)
2. Your Invitation To 2003 Nebraska Leadership Prayer Breakfast - on Friday, February 21, 2003 at the Embassy Suites Hotel, 1040 "P" Street - Doors open at 6:30 a.m. - Breakfast Served promptly at 7:00 a.m. - \$15.00 per ticket or \$150.00 for table of ten. - (See Invitation)
3. You are cordially invited to attend the Annual Meeting of the YMCA of Lincoln, Nebraska. Please join us for the election of new Board of Directors members and officers, and to celebrate the accomplishments of the Association. YMCA Annual Meeting on Thursday, February 13, 2003 at the Nebraska Club, 20th Floor, US Bank Building, 233 South 13th Street - Social Time, 5:00 p.m. - Annual Meeting, 5:30 p.m. - Please RSVP by February 10th to 434-9205. (See Invitation)
4. National League of Cities 2003 Congressional City Conference - March 7-11, 2003 in Washington D.C. - Washington Hilton Hotel and Towers- (Advance Registration Deadline: February 7th) (See Brochure for more details)
5. Lincoln Chamber Ribbon Cuttings: You are invited to the following ribbon cuttings:
 - 1.) Union Bank & Trust Company, 5006 N. 27th Street (N. 27th & Kensington) on Monday, February 3rd at 10:30 a.m.
 - 2.) Modern Methods, Inc. - 2441 N. 9th Street on Wednesday, February 5th at 3:00 p.m.
 - 3.) The Lincoln Agency, 245 S. 84th Street, Suite 218 on Wednesday, February 12th at 3:30 p.m.- Please RSVP to Tera Pugh, Director of Events at 436-2355 or E-Mail. (See E-Mail of Invitation)
6. E-Mail Invitation - the Environmental Protection Agency in Kansas City - regarding a clean up they are doing at the Telex Communications Facility in Lincoln - A Public Meeting is planned for February 10th in Lincoln - RSVP to Shantelle Martin at 913-551-7676. (See E-Mail's -)

7. Friendship Home - 3rd Annual Heart of the Matter Donor Recognition Luncheon - Please Join Us . . . for a celebration of our 25th anniversary and the successes of 2002. We honor you, our donor and friend, and recognize the leadership who made hope and safety possible for thousands of women and children during the past 25 years. - On Friday, February 14, 2003 at The Cornhusker Hotel from 11:30 a.m. to 1:00 p.m. - Tickets: \$30.00 or Table of 10: \$300.00 - RSVP by February 7th to Julie at 434-0167 or E-Mail. (See Invitation)

VI. MISCELLANEOUS

- **1. List of suggested topics from LPS for Joint LPS/City/County Meeting scheduled for February 10th. - Does Council have anything to add - (Last Call)

VII. CITY COUNCIL MEMBERS

VIII. ADJOURNMENT

***HELD OVER FROM JANUARY 20, 2003**

****HELD OVER FROM JANUARY 27, 2003**

MINUTES
CITY COUNCIL MEMBERS' "NOON" MEETING
MONDAY, FEBRUARY 3, 2003
CONFERENCE ROOM 113

Council Members Present: Jonathan Cook, Chair; Jon Camp, Vice Chair (Arrived after the Minutes Vote); Glenn Friendt, Annette McRoy, Coleen Seng, Ken Svoboda, Terry Werner.

Others Present: Mark Bowen, Corrie Kielty, Mayor's Office; Dana Roper, City Attorney; Joan Ray, Council Secretary; Darrell Podany, Aide to Council Members Camp, Friendt and Svoboda; Nate Jenkins, Lincoln *Journal Star* representative.

I. MINUTES

- *1. Minutes of "Noon" Council Members' Meeting for January 13, 2003.
- **2. Pre-Council Minutes on Impact Fees (12-09-02)

Chair Jonathan Cook requested a motion to approve the above-listed minutes. Ken Svoboda moved approval of the minutes, as presented. The motion was seconded by Coleen Seng and the minutes were approved as presented by unanimous consensus of the Council Members present.

II. COUNCIL REPORTS ON BOARDS, COMMITTEES, COMMISSIONS AND CONFERENCES -

*1. PUBLIC BUILDING COMMISSION (Camp/Seng) Ms. Seng reported that "Solid Ground" would be starting its food service operation today. She noted that all the Council Members had received a menu from that organization in the Thursday packets. She noted that there had been a committee of the Building Commission that met and reviewed applicants. Mr. Bowen, who had been a member of the committee, explained that it was determined that out of the five applicants, Solid Ground was the clear choice. They had had previous operating experience. The financial arrangements were discussed briefly with the note that Solid Ground rents the space under a percentage break-even clause. Mr. Svoboda asked if they paid for their own utilities? Mr. Roper stated that he would investigate that issue. The vending machines were presented as a separate contract. Those bids will be reviewed sometime this week in order to replace the machines formerly contracted to Valentino's. This contract will probably include not only this building, but the police substations as well.

Mr. Werner expressed a concern that there should be a clause barring religious "things" to pass out and signage such as they have at their restaurant. Ms. Seng noted that there is a regulation in place as to what can be handed out in our public buildings.

Prices were also discussed briefly along with details of the contract negotiations.

Ms. Seng continued her report noting the the City/County aquarium policy had also been discussed at the PBC meeting. The State doesn't have a policy as they did with the space heaters, so we're working on that. The major concern is the 911 Center and the potential for disruption of communications if there was an accident.

Ms. Seng continued with a report from the Arts Committee made up of Gary Lacey, Linda Wilson, Don Killeen. She noted that "Joan of Arc" had been removed and replaced with "Snake and Faces". Council felt perhaps there needs to be new membership on the Arts Council. It was suggested that the County/City Building had become a "home for unwanted 'art'". It was noted that the up side to the situation was that it had not been bought but was only on loan. Staff wondered for how long? Mr. Camp suggested that we enroll Council in an art appreciation class.

Mr. Camp continued the report, stating that the parking committee had met and explained that he had passed on Mr. Svoboda's suggestions of meters being installed for the public parking in the new garage. He explained that they hadn't had a parking committee meeting yet to discuss how the rates would be determined. The idea for some charge for the closer [employee] parking would be initiated. Ms. Seng noted that parking is an negotiated item of employment, but would not relate to the new parking garage. There will be a little leeway there.

Mr. Svoboda stated that he was not stating that we don't provide free parking for employees. What he was proposing was that the luxury of the parking garage space should be [paid by the user]. He offered to pay for his space underneath the building if that would help offer equity in the payment plan for employees. Ms. Seng indicated that that is not the concern.

Mr. Camp reported that the Master Plan had been completed and adopted. One of the things that the City and County had met to look at ways to coordinate the two offices to maximize the efficiency of our joint staffs. Ms. Seng pointed out that the issue is also on the Common Agenda for further discussion. They had also discussed the re-location of the Violations Bureau "drop-off" box; tinting windows on the second floor overlooking the lobby area for the Planning Staff. Ms. Seng noted that no blinds had been placed on the lobby windows for anyone, so they were going to experiment with the tinting option for the GIS personnel.

*2. MULTICULTURAL ADVISORY COMMITTEE (McRoy) Ms. McRoy had not attended, but understood that there had been a lot of discussion with the Mayor regarding minority hiring practices and minority appointments to various committees and boards.

*3. BOARD OF HEALTH (Svoboda) Mr. Svoboda reported that there had been nothing of major significance...mostly just routine committee reports.

*4. HOMELESS COALITION MEETING (Werner) - No Report

**5. FUTURES' COMMITTEE MEETING (Cook) This committee discusses and takes recommendations back to the PRAB. At this meeting there had been discussion of plastic bags dispenser that would cost \$40.00 for every park (doggie poop collector bags). That was deemed too expensive, so cheap plastic tubes placed strategically around the parks & trails areas where neighborhoods could place plastic bags from their local grocery store. The Neighborhood Association then decided that the City shouldn't be involved in this, but that people should take responsibility for providing their own plastic bags. We'll see what the Park & Rec Advisory Board says on the issue where such concerns as danger to toddlers, or liability to the City would also be discussed.

- **6. DEC (Friendt) Mr. Friendt reported that DEC is in fine financial shape. This year will be, pretty much, an operational year because there are no pending new projects. Larry Hudkins was elected Chair at this meeting.
- **7. F3 (Families First and Foremost) (Friendt-Optional Report) Mr. Friendt did not attend after learning that the meeting was more of a working session for staff and families.
- **8. LINCOLN HAYMARKET DEVELOPMENT CORPORATION BOARD OF DIRECTORS MEETING - (McRoy)- The meetings are held on Monday which create a schedule conflict for Ms. McRoy.
- **9. NU DIRECTIONS COALITION MEETING (McRoy) Not an Official Reporting Committee
- **10. STAR CITY HOLIDAY FESTIVAL BOARD MEETING (McRoy) No Report
- **11. FLOODPLAIN TASK FORCE (Seng) Ms. Seng reported that these meetings are held every two weeks and there will be another meeting tomorrow morning at 7:30. She stated that they had been working on the built environment or the new environment trying to come up with what the Task Force feels are the regulations and standards that should be sent forward to the Planning Commission and City Council. We've been handling it piece by piece with more work to be done tomorrow, but eventually it will be sent on to Planning Commission and then, perhaps in May, it will finally reach the Council.
- **12. CLC - LEADERSHIP COUNCIL MEETING (Seng) Ms. Seng had no report.

OTHER MEETINGS - Ms. Seng Reported on the Keno Prevention Fund Meeting. She had reported previously that there was \$122,000 worth of requests with only \$32,000 available funds. So, there were an great number of "nos" and nobody got what they asked for. A few people got something, but there were a lot of turn-downs. This will have to go to JBC for approval and then to Council in the form of legislation on the Formal Agenda.

The other meeting was the Problem Resolution Team which was held last Thursday morning. Ms. Seng noted that she had to go through the security door of the Hall of Justice building. This launched a discussion of the need and desirability of security cards for Council Members similar to the one held by Council Chair, Jonathan Cook which allowed access through the 911 Center entrance, thus circumventing the need to go through public security to attend meetings being held in the Hall of Justice. {Staff made arrangements with PBC to have security cards issued for Council Members}

Ms. Seng reported briefly on several of the actual cases, noting that on nearly every case there are mental health issues of the owner or tenant involved.

Mr. Werner commented that he had attended the DLA meeting last week. The only thing really of note is that DLA Executive Committee had confirmed and it had been re-confirmed by the over-all committee that DLA would endorse any entertainment center being located in the DownTown area. There had been a report on Pershing. Mr. Werner was not sure if any progress

was being made on the entertainment center project, but one thing seemed really critical to him which was that somehow there must be coordination between the AG Center and the State Fair Park and the City of Lincoln before millions of dollars are invested in new auditoriums and infrastructures. It wouldn't make sense that we wouldn't all work together to find the right location. Council Members agreed with that comment. Further discussion covered money source possibilities and the advancement of the project.

Mr. Cook asked if, when DLA was advocating "downtown" did that mean placement in the Antelope Valley area, or the actual downtown area? Mr. Werner indicated that DLA would actually like to see the placement in the Antelope Valley area. He stated that it would require six square blocks. The problem with Pershing is that money comes from three different "places": Entertainment, Food Sales (concessions) and from Parking...of which Pershing has None.

Mr. Bowen noted that the Mayor's Office had held some discussion with the AG Center, County Board, DLA, Pershing and the State Fair Board. He noted that different members of those groups had attended a variety of these meetings. There had been one just last week-end to discuss cooperation among all the entities to avoid duplicating the problems associated with the Event Center, which no one wanted duplicated. He reported that the State Fair group is looking at some sort of project and had made a presentation. We are trying to make sure that all the parties involved are aware of plans being made by others in the concern group. Discussion continued with Council Members encouraging such cooperation.

Mr. Werner noted that today was the first day for DayWatch at its new location. Much of the remodeling that will be taking place will be coming from the Homeowners. But they are officially moved.

Ms. McRoy reported that she and Mr. Svoboda had gone to the Homeland Security Task Force Meeting on Friday. She noted that it had been an organizational meeting. There will be reports at the next meeting from Chief Casady, Chief Spadt and Doug Ahlberg regarding the state of affairs regarding homeland security in our community. There is a little confusion as to courses of action, but we have started the process. Mr. Svoboda stated that he had been quite pleased by the representatives not representing government who were there and spoke very candidly. They asked questions, objecting to a couple of different things, and Mr. Svoboda thought it had been a very good initial meeting.

Mr. Svoboda also mentioned the ILC Meeting that had been somewhat uneventful other than the fact that there is one bar in downtown Lincoln that has twice the admissions to the Detox Center and probably eight times more calls to action than most bars in Lincoln. That case will be studied with Joy Citta showing a break-down of the calls to service to all the bars in downtown Lincoln and in the Haymarket. One Meeting attendee was concerned that so much time was devoted to one violator, even though there are few actual recorded violations on the individual.

Ms. McRoy stated that Captain Citta had already e-mailed her on the new directions being taken against risky promotions, recording of the numbers of calls for service from LPD and several other issues.

She stated that another issue that might be of interest to Council is that Mickey's Bar is the Bar of the Month on Playboy.com. She felt this was not a great way to be recognized nationally. Ms. Seng asked if this was the one license that taken up so much time of the ILC meeting to which Ms. McRoy responded that it was. Mr. Svoboda stated that they were trying to organize this information so they can take it to the State Liquor Control Commission stating that the City was Showing Cause and want a [hearing].

Mr. Werner thought the size of the establishment should also be considered, noting that statistics can be skewed. He noted that there were only two liquor violations in the entire City and neither of those involved Mickey's. He just noted that we should be careful of not getting into the business of morality.

Mr. Roper noted that on Tuesday, Club Energy is requesting an injunction against the conditions that were placed on their license. So, there will be a hearing on a temporary restraining Tuesday in front of Judge Merritt. Mr. Svoboda noted that the Club Energy representatives had stood before the Council and said that they would do everything possible to make it work for the City.

III. APPOINTMENTS/REAPPOINTMENTS

**1. Mayor's List of Upcoming Appointments thru May. - Noted without Significant Comment.

**2. Two Appointments - For Introduction on 01-27-03 Agenda. The policy of having the listings and resumes to Council a week prior to placement on the formal agenda for introduction was reiterated.

IV. REQUESTS OF COUNCIL FROM MAYOR Mr. Bowen stated that there were a couple of things of which he wanted to make Council aware. The State Legislature has a couple of bills coming forward that may be of interest to Council. He pointed out that LB453 was one that the Administration is supporting (exempt for locals from taxation); LB462 is one the Administration is supporting (exemption from the lid) There was discussion on several other bills before the legislature regarding taxes which the City did not support (LB99 and LB726) LB555 is the 2 cent increase in the fuel tax which the League is sponsoring. We're opposing LB440 (taking back the Merc Funds) LB614 - a previous bill which would require the recording of all police interviews and interrogations, which would be a great expense for cities. LB335 regarding annexations and whether or not when a city annexes whether the schools are included in the annexation and the restrictions on how the school district would be included. LB690, LB790 and LB792 are the gas bills which were brought to Council's attention by Corrie Kielty. There was a brief discussion of each of these bills.

Mr. Bowen stated that the Federal Budget had just been released and they were watching closely to see what Federal fundings would be cut that would be affecting Lincoln. The cuts would probably be in the home security funding. The Transportation Authorization and main highway bill is being re-authorized. It is a huge five-year bill and we'll be lobbying very hard for that - primarily for the beltways. We need to know that our beltway funding is secured for the next five to ten years as an authorization. The appropriations for the South Beltway were also discussed briefly.

V. MEETINGS/INVITATIONS - Noted Without Significant Comment

VI. MISCELLANEOUS -

**1. List of suggested topics from LPS for Joint LPS/City/County Meeting scheduled for February 10th. - Does Council have anything to add - *Too late for further input.*

FROM ADDENDUM:

1. Discussion of proposed Pre-Council on the Telecommunications Ordinance - Requested by LES. After discussion, it was determined to Have Pre-Councils on February 10th re-scheduled as follows: LES Telecommunications presentation 9:50 a.m. (20 Min); EMS 2002 Financial Statements - 10:10 a.m. (50 Min)

There was brief discussion of concerns that will be addressed at the pre-council.

2. Discussion on Joint City/County Staff Position. Mr. Cook briefly outlined the discussion that had taken place at the 01-31-03. He noted that the space allotted by the Space Study needed to be reviewed. The physical arrangements for the office would be vital in making such a position work - especially placement of the copier and scanner in the close proximity to the front desk area.

The re-arrangement of the current office configuration was also discussed along with cross-training to allow work for both the County and City by the position. Current staff would also be cross-trained for work in either County Commissioners or City Council Office.

Discussion of responsibility for the position (supervision and evaluations) indicated that this would be determined by whether the position was brought in under the City or County. Mr. Camp asked if this were to be a fourth position, in addition to the three current positions in the two offices - which it would be. Mr. Cook stated that further discussion could be reserved for the Common Meeting.

VII. COUNCIL MEMBERS -

JON CAMP - No Further Comments

JONATHAN COOK - No Further Comments

GLENN FRIENDT - No Further Comments

ANNETTE McROY - No Further Comments

COLEEN SENG - Ms. Seng requested further discussion of the Public Comment Time on the Formal Agenda. *(This will be added for Discussion on the 01-10-03 "Noon" Agenda)*

KEN SVOBODA - Mr. Svoboda asked who was in charge of the security at the Hall of Justice. This brought up the discussion of the security card as outlined previously in these minutes.

TERRY WERNER - No Further Comments

MARK BOWEN - No Further Comments

CORRIE KIELTY - No Further Comments

DANA ROPER - No Further Comments

*Carry Over from 01-20-03

**Carry Over from 01-27-03

VIII. MEETING ADJOURNED - Approximately 1:08 p.m.

cm020303/jvr